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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

March 24, 2006

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

PSF No.:060D-032

OAHU

Set Aside to the City and County of Honolulu Department of  
Parks and Recreation for Park Purposes, Waiawa, Oahu, Tax  
Map Key: (1) 9-7-68:4.

APPLICANT:

City and County of Honolulu, Department of Parks and Recreation

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands of Waiawa situated at Ewa, Oahu,  
identified by Tax Map Key: (1) 9-7-68:4, as shown on the attached  
map labeled Exhibit A.

AREA:

4.107 acres, more or less.

ZONING:

State Land Use District:	Urban
City and County of Honolulu CZO:	Public Recreation

TRUST LAND STATUS:

Acquired after statehood (non-trust)

DHHL 30% entitlement lands pursuant to the Hawaii State  
Constitution: YES \_\_\_\_ NO \_\_\_\_x

CURRENT USE STATUS:

Vacant and unencumbered.

PURPOSE:

Park purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements.

Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1 Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.

BACKGROUND:

The Land Board at its meeting of August 12, 1966 under agenda item F-23 approved the acquisition 10.745 acres for school and a park site. On August 22, 1966, the State purchased the lands from Waiahole Water Company, Limited and Island Construction Co., Inc. dba Pearl Harbors Heights Developers for \$726,518.

The Land Board at its meeting of May 8, 1970, under agenda item F-23, granted the City and County of Honolulu, Department of Parks and Recreation a right-of-entry to use and occupy 4.107 acres. (Exhibit B)

The Land Board at its meeting of January 12, 1973, under agenda item F-17, approved to recommend to the Governor setting aside 6.656 acres to the Department of Education for Manana Elementary School. The Governor on March 5, 1973 signed Executive Order No. 2656.

REMARKS:

Staff recently contacted the Department of Parks and Recreation staff to determine if they were using the subject property and would a set aside document be needed. By letter dated February 6, 2006, Mr. Eugene C. Lee, Deputy Director is requesting favorable consideration from the Land Board for the set aside to the City. (Exhibit C)

There is limited information on the negotiations discussed in the Board's May 1970 submittal. A land exchange between the State and City never materialized. The City has been managing the subject property as a public park since 1970 and is best qualified. Park use is the highest and best use.

Comments were solicited from:


DHHL	No comments
City & County of Honolulu, DPP	No response
City & County of Honolulu, Environmental Services	No objections
Historic Preservation	No response
OHA	No response

RECOMMENDATION:

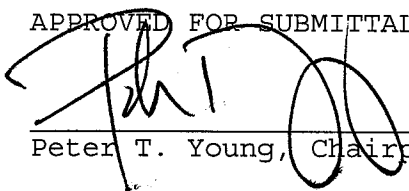
That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to City and County of Honolulu, Department of Parks and Recreation under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
  - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
  - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

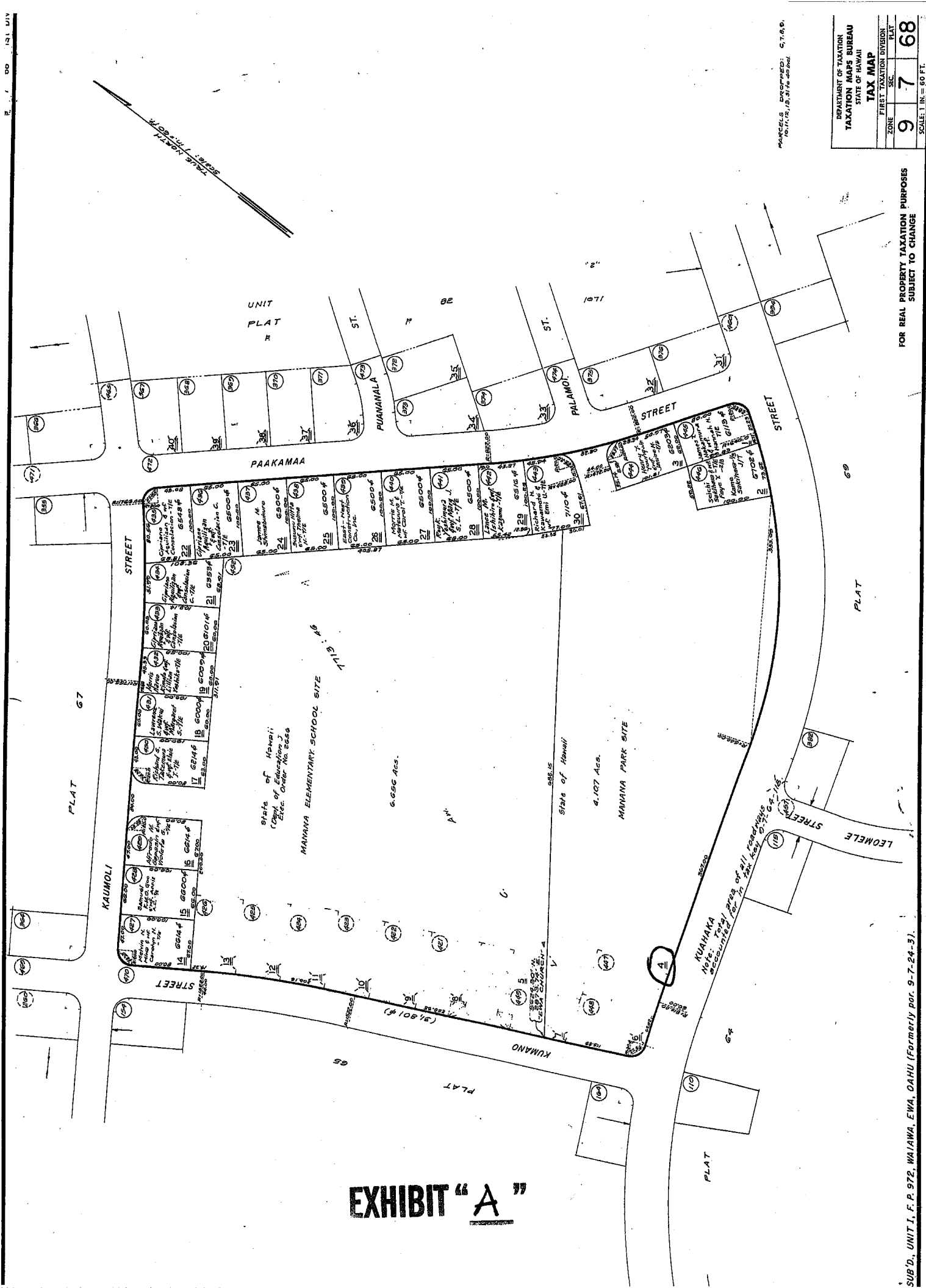
Respectfully Submitted,

  
mi Charlene E. Unoki  
Assistant Administrator

APPROVED FOR SUBMITTAL:

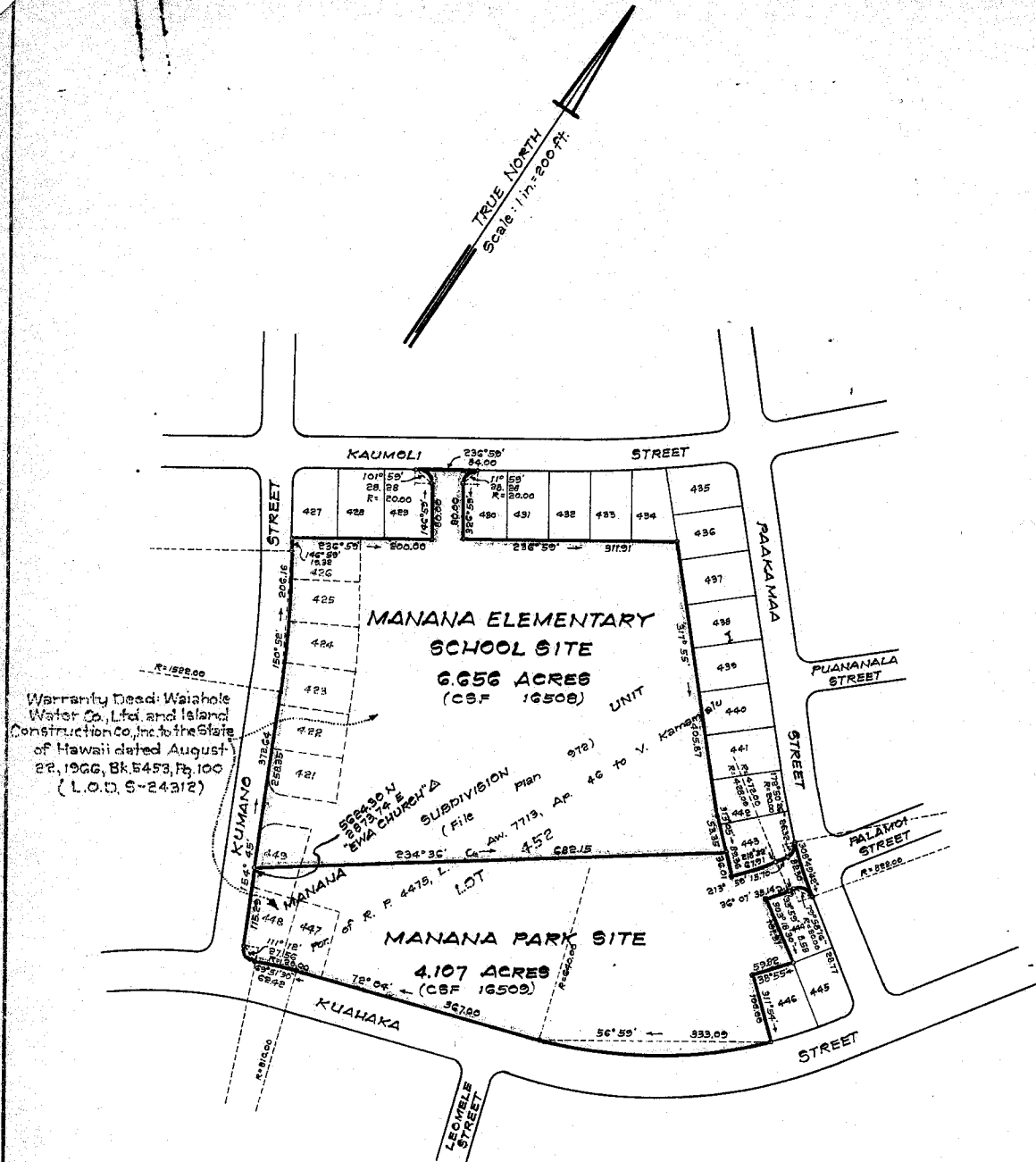
  
Peter T. Young, Chairperson

**EXHIBIT "A"**



<sup>1</sup> SUB'D., UNIT I, F. P. 972, WAI'AWA, EWA, OAHU (Formerly por 9-7-24-3).

**FOR REAL PROPERTY TAXATION PURPOSES  
SUBJECT TO CHANGE**



# MANANA ELEMENTARY SCHOOL AND MANANA PARK SITES

Waiawa, Ewa, Oahu, Hawaii  
Scale: 1 inch = 200 feet

JOE O-5318  
C. BK Wilders 9:21

TAX MAP 9-7-68

SURVEY DIVISION  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
STATE OF HAWAII

G. S. F. No. 16,508, 16,509

R.K. Jan 7, 1972

EXHIBIT "A"

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
HONOLULU, HAWAII  
Division of Land Management

May 8, 1970

Board of Land and  
Natural Resources  
Honolulu, Hawaii

Gentlemen: GRANT OF RIGHT OF ENTRY TO CITY AND COUNTY OF HONOLULU, DEPARTMENT OF PARKS AND RECREATION, WAIAWA, EWA, OAHU

STATUTE: Chapter 171, Revised Hawaii Statutes

APPLICANT: City and County of Honolulu, Department of Parks and Recreation

AREA: 4.015 acres, more or less, as shown and described on the white print marked "Exhibit A" attached to the master file.

FOR: Granting of a Right of Entry to enter, occupy and use the subject parcel for construction of park facilities.

GENERAL INFORMATION: By Act 97, S.L.H. 1965, the functions of planning, construction, improvement and maintenance of public school facilities and grounds were transferred from the City to the State.

One of the problems brought about by the transfer of such facilities is that of acquiring contiguous sites sufficient to accommodate both educational and recreational needs.

Because of this the State and City have entered into a Memorandum of Understanding in order to formulate policies to coordinate and facilitate the activities of the respective governmental agencies in connection with the acquisition and use of school-park complexes.

Among other provisions and conditions of the Memorandum of Understanding the State upon final determination and selection of a school-park complex site

Approved by the Board  
at its meeting held on

May 8, 1970

ITEM F-23

EXHIBIT "B"

by the Department of Education and the Department of Parks and Recreation is to undertake the expeditious acquisition of the site either by negotiations or in eminent domain. Further, the costs of acquisition shall be prorated in accordance with the areas of the portions so allotted and the City shall pay the State for that portion of the land to be acquired for the park site. Such payment shall include all pro rata costs of acquisition.

Upon payment by the City, the State shall convey the title of the appropriate portion to the City.

One of the school-park complex sites that the State has purchased but has not conveyed the allocated portion to the City is the Manana Elementary School and Park site at Manana, Waiawa, Ewa, Oahu containing a total area of 10.671 acres as shown and described on the map marked "Exhibit A" attached to the basic file. The allotted park site is 4.015 acres.

In view of the foregoing and the further fact that the City and County, Department of Parks and Recreation is presently without funds to acquire the 4.015 acre Manana Park site, the State is willing to consider, subject to the Board's approval, an exchange of lands with the City for the Kaiser High School site containing approximately 31.951 acres.

Because of the time it will take to consummate the acquisition and because of the urgency of the Department of Parks and Recreation's need, it is recommended that the State grant the City an immediate Right of Entry to use and occupy the 4.015 acre park site for construction of park facilities.

Superintendent Ralph H. Kiyosaki of the Department of Education has also recommended the granting of the Right of Entry so that Manana Park can be developed inasmuch as it is the only play area for Manana Elementary School which is located immediately adjacent thereto.

As a condition in granting the Right of Entry to the City, Mr. Kiyosaki recommends that the State also request a Right of Entry from the City to use and occupy the Kamiloiki School site at Hawaii Kai so

May 8, 1970

that the temporary and permanent facilities can be constructed beginning May 13, 1970.

RECOMMENDATION:

That the Board grant an immediate Right of Entry to the City and County of Honolulu, Department of Parks and Recreation to enter, use and occupy the subject park site for the purpose of constructing permanent park facilities thereon subject to the following conditions:

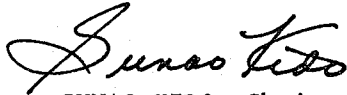
1. Standard hold harmless clause.
2. Other terms and conditions as may be prescribed by the Chairman.

Respectfully submitted,



JAMES J. DETOR  
Program Administrator  
Division of Land Management

RECOMMENDED FOR APPROVAL:



SUNAO KIDO, Chairman



April 27, 1970

Mr. Ted Green, Director  
Department of Parks & Recreation  
City & County of Honolulu  
1455 South Beretania Street  
Honolulu, Hawaii 96814

Dear Sir:

Subject: Right-of-Entry Upon Manana Park Site for  
Construction of Park Facilities, Waiawa,  
Ewa, Oahu

In view of the urgency of the subject matter and pending completion of our negotiations for an exchange of lands for school and park sites, the City and County of Honolulu, Department of Parks and Recreation is hereby granted an immediate Right-of-Entry to enter upon the premises and to occupy and use the same for the purpose of initiating construction, preservation and protection of Manana Park.

In granting this Right-of-Entry the City and County shall at all times, with respect to the premises, use due care for public and private safety and shall, indemnify and hold the State of Hawaii harmless from any loss, liability, claim or demand for injury or damage, including but not limited to death, on or about the premises or operations in the exercise of the privileges granted herein.

Very truly yours,

BOARD OF LAND AND NATURAL RESOURCES

  
SUNAO KIDO

Chairman and Member

cc: Hon. Ralph H. Kiyosaki  
Hon. Kenam Kim  
Mr. Domingo Los Banos

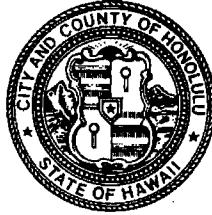
JAM:ck

EXHIBIT "B"

DEPARTMENT OF DESIGN AND CONSTRUCTION  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 11<sup>TH</sup> FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 523-4564 • Fax: (808) 523-4567  
Website: [www.honolulu.gov](http://www.honolulu.gov)

MUFI HANNEMANN  
MAYOR



February 6, 2006

RECEIVED  
LAND DIVISION

2006 FEB -7 P 3:13  
DIRECTOR

DEPT. OF EUGENE C. LEE, P.E.  
NATURAL RESOURCES DEPUTY DIRECTOR  
STATE OF HAWAII  
139153

Mr. Peter Young, Chairperson  
Board of Land and Natural Resources  
State of Hawaii  
1151 Punchbowl Street  
Honolulu, Hawaii 96813

Attention: Ms. Charlene E. Unoki, Land Agent

Dear Mr. Young:

Subject: Request for Set-Aside of State Land for Park Purposes at  
Manana, Oahu, Hawaii, Tax Map Key (1) 9-7-068:004

We respectfully request a set-aside to the City for an existing park adjacent to Manana Elementary School on State-owned land, Tax Map Key (1) 9-7-068:004.

Our records indicate that the City obtained a right-of-entry permit from the State on April 27, 1970 to begin construction of the park. However, our records do not indicate that any further action was taken to give the City more permanent tenure on the property. The City has continued to operate and maintain a public park here since construction was completed.

We would appreciate your willingness to consider and accommodate the City's land set-aside requests.

Should there be any questions, please contact Terry Hildebrand, Facilities Division, at 523-4696.

Very truly yours,

A handwritten signature in cursive script, reading "Eugene C. Lee".

Eugene C. Lee, P.E.  
Deputy Director

ECL:ei

c: Department of Parks and Recreation

EXHIBIT "C"